

Remarks

Response to Rejections:

1. Claims 1, 7, 8, 13, 16, 21, 23-24, and 26-32 have been rejected under 35 U.S.C. 102(b) as being anticipated by Cardwell, Patent No. 4,932,947.

- **Specifically regarding the rejection of claim 7:**

The rejection of claim 7 should be withdrawn because the Cardwell reference does not recite that the plunger shaft handle member is *molded* to the rear terminus of the plunger shaft, as claimed by Applicant.

A claim is anticipated by a reference only if each and every element as set forth in the claim is found in the reference. The Cardwell reference does not anticipate the limitations of claim 7. Accordingly, withdrawal of this rejection is requested.

- **Specifically regarding the rejection of claim 16:**

The rejection of claim 16 should be withdrawn because the Cardwell reference does not recite that the syringe barrel handle member is *molded* to or *formed* on the rearward end terminus of a syringe barrel, as claimed. The limitation of claim 16 describes the type of structural attachment present or existing between the syringe barrel rearward end terminus and the syringe barrel handle member, as claimed by Applicant.

A claim is anticipated by a reference only if each and every element as set forth in the claim is found in the reference. The Cardwell reference does not anticipate the limitations of claim 16. Accordingly, withdrawal of this rejection is requested.

- **Specifically regarding the rejection of claim 27:**

The rejection of claim 27 should be withdrawn because Cardwell does not teach the combination of claims 1 and 27, wherein the claimed structure of a syringe barrel forward end that tapers to a reduced diameter neck that forms a permanent forward end opening is not taught in conjunction with a corrugated sheath that is attached to both a forward face surface of a plunger shaft handle member and a rearward face surface of a syringe barrel handle member.

A claim is anticipated by a reference only if each and every element as set forth in the claim is found in the reference. Because the Cardwell reference

is deficient for the reasons advanced above, the Cardwell reference does not anticipate the limitations of claims 1 and 27. Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of Cardwell and withdrawal of this rejection is requested.

- **Specifically regarding the rejection of claim 28:**

The rejection of claim 28 should be withdrawn because Cardwell does not teach the combination of claims 1 and 28, wherein the claimed syringe having a structure that is capable of drawing a quantity of liquid into the syringe barrel and maintaining the quantity of liquid forward of the piston and capable of ejecting the quantity of liquid from the forward end opening is not taught in conjunction with a corrugated sheath that is attached to a forward face surface of a plunger shaft handle member and a rearward face surface of a syringe barrel handle member.

A claim is anticipated by a reference only if each and every element as set forth in the claim is found in the reference. Because the Cardwell reference is deficient for the reasons advanced above, the Cardwell reference does not anticipate the limitations of claims 1 and 28. Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of Cardwell and withdrawal of this rejection is requested.

- **Specifically regarding the rejection of claim 32:**

The rejection of claim 32 should be withdrawn because Cardwell does not teach the combination of claims 1 and 32, wherein the claimed structure of a plunger shaft being a continuous component extending between the piston and plunger shaft handle member is not taught in conjunction with a corrugated sheath that is attached to a forward face surface of a plunger shaft handle member and a rearward face surface of a syringe barrel handle member.

A claim is anticipated by a reference only if each and every element as set forth in the claim is found in the reference. Because the Cardwell reference is deficient for the reasons advanced above, the Cardwell reference does not anticipate the limitations of claim 32. Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of Cardwell and withdrawal of this rejection is requested.

2. Claims 1, 7, 8, 13, 16, 21-24, and 26-32 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Tomkiel, U.S. Patent No. 4,927,416, and further in view of Rupp, U.S. Patent No. 5,419,773, or Haworth, U.S. Patent No. 5,219,338.

- **Specifically regarding the rejection of claim 7:**

The rejection of claim 7 should be withdrawn because the Tomkiel, Haworth, and Rupp references, either alone or in combination, do not recite that the plunger shaft handle member is *molded* to the rear terminus of the plunger shaft taught in conjunction with a corrugated sheath that is attached to the plunger shaft handle member and a syringe barrel handle member, as recited in claim 1.

Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of the combination of Tomkiel, Haworth, and Rupp, and withdrawal of this rejection is requested.

- **Specifically regarding the rejection of claim 13:**

The rejection of claim 13 should be withdrawn because Tomkiel, Haworth, and Rupp, alone or in combination, do not teach the combination of claims 1 and 13, wherein the claimed structure of a corrugated sheath that is collapsible and expandable along the longitudinal axis of the hollow syringe barrel is not taught in conjunction with a corrugated sheath that is attached to the forward face surface of a plunger shaft handle member and a rearward face surface of a syringe barrel handle member.

Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of the combination of Tomkiel, Haworth, and Rupp and withdrawal of this rejection is requested.

- **Specifically regarding the rejection of claim 16:**

The rejection of claim 16 should be withdrawn because Tomkiel, Haworth, and Rupp, alone or in combination, do not teach the combination of claims 1 and 16, wherein the claimed structure of a syringe barrel handle member molded to or formed on the rearward end terminus of the syringe barrel is not taught in conjunction with a corrugated sheath that is attached to forward face

surface of a plunger shaft handle member and the rearward face surface of a syringe barrel handle member.

Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of the combination of Tomkiel, Haworth, and Rupp and withdrawal of this rejection is requested.

- **Specifically regarding the rejection of claim 21:**

The rejection of claim 21 should be withdrawn because Tomkiel, Haworth, and Rupp, alone or in combination, do not teach the combination of claims 1 and 21, wherein the claimed structure of providing a corrugated sheath that is collapsible and expandable along the longitudinal axis of the plunger shaft and is attached to a forward face surface of a plunger shaft handle member and a rearward face surface of a syringe barrel handle member.

Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of the combination of Tomkiel, Haworth, and Rupp and withdrawal of this rejection is requested.

- **Specifically regarding the rejection of claim 22:**

The rejection of claim 22 should be withdrawn because Tomkiel, Haworth, and Rupp, alone or in combination, do not teach the combination of claims 1 and 22, wherein the claimed structure of providing a syringe barrel with measuring indicia and having a corrugated sheath attached to a forward face surface of a plunger shaft handle member and a rearward face surface of a syringe barrel handle member.

Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of the combination of Tomkiel, Haworth, and Rupp and withdrawal of this rejection is requested.

- **Specifically regarding the rejection of claim 27:**

The rejection of claim 27 should be withdrawn because the Tomkiel, Haworth, and Rupp references do not teach the combination of claims 1 and 27, wherein the claimed structure of a syringe barrel forward end that tapers to a reduced diameter neck that forms a permanent forward end opening is not taught in conjunction with a corrugated sheath that is attached to a forward face

surface of a plunger shaft handle member and to a rearward face surface of a syringe barrel handle member.

Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of the Tomkiel, Haworth, and Rupp references and withdrawal of this rejection is requested.

- **Specifically regarding the rejection of claim 28:**

The rejection of claim 28 should be withdrawn because Tomkiel, Haworth, and Rupp do not teach the combination of claims 1 and 28, wherein the claimed syringe having a structure that is capable of drawing a quantity of liquid into the syringe barrel and maintaining the quantity of liquid forward of the piston and capable of ejecting the quantity of liquid from the forward end opening is not taught in conjunction with a corrugated sheath that is attached to a forward face surface of a plunger shaft handle member and a rearward face surface of a syringe barrel handle member.

Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of the teachings of Tomkiel, Haworth, and Rupp and withdrawal of this rejection is requested.

- **Specifically regarding the rejection of claim 32:**

The rejection of claim 32 should be withdrawn because the Tomkiel, Haworth, and Rupp references do not teach the combination of claims 1 and 32, wherein the claimed structure of a plunger shaft being a continuous component extending between the piston and plunger shaft handle member is not taught in conjunction with a corrugated sheath that is attached to a forward face surface of a plunger shaft handle member and a rearward face surface of a syringe barrel handle member.

Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of the combination of Tomkiel, Haworth, and Rupp and withdrawal of this rejection is requested.

3. Claims 1, 7, 8, 13, 16, 21-24, 26-27, and 29-32 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Osborn, III et al., Patent No. 5,817,047.

• **Specifically regarding the rejection of claim 13:**

The rejection of claim 13 should be withdrawn because Osborn, III et al. do not teach the combination of claims 1 and 13, wherein the claimed structure of a corrugated sheath that is collapsible and expandable along the longitudinal axis of the hollow syringe barrel is not taught in conjunction with a plunger shaft having an attached piston, wherein said attached piston is capable of slidably engaging and maintaining a tight seal with the inner wall surfaces of the hollow syringe barrel cavity along the entire length of the syringe barrel cavity during withdrawal and advancement of the plunger shaft and attached piston.

Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of Osborn, III et al. and withdrawal of this rejection is requested.

• **Specifically regarding the rejection of claim 21:**

The rejection of claim 21 should be withdrawn wherein the claimed structure of a corrugated sheath that is collapsible and expandable along the longitudinal axis of the plunger shaft is not taught in conjunction with a plunger shaft having an attached piston, wherein said attached piston is capable of slidably engaging and maintaining a tight seal with the inner wall surfaces of a hollow syringe barrel cavity along the entire length of the syringe barrel cavity during withdrawal and advancement of the plunger shaft and attached piston.

Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of Osborn, III et al. and withdrawal of this rejection is requested.

• **Specifically regarding the rejection of claim 22:**

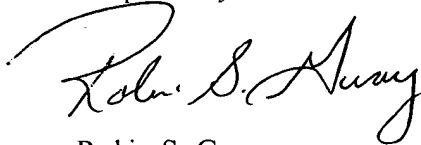
The rejection of claim 22 should be withdrawn because Osborn, III et al. do not teach a syringe barrel with measuring indicia. In fact, there is no reason for Osborn, III et al. to provide measuring indicia because Osborn, III et al. do not

perform operations with the tampon dispenser requiring the use of measuring indicia.

For these reasons, Applicant submits that the Osborn, III et al. reference fails to suggest or make obvious the claimed subject matter of claim 22. Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of the combination of Osborn, III et al. and withdrawal of this rejection is requested.

Applicant respectfully submits that the above arguments place the application for patent in condition for allowance and early notification to that effect is respectfully requested.

Respectfully submitted,



Robin S. Gray

Registration No.: 48,093

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450, on March 8, 2004.

Robin S. Gray

Applicant



Signature

March 8, 2004

Date of Signature